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Government of Kerala
2025

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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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തിരുവനന്തപുരം,
വ്യാഴം
Thiruvananthapuram,
Thursday

2025 ഒക്ടോബർ 30
30th October 2025
1201 തുലാം 13
13th Thulam 1201
1947 കാർത്തികം 8
8th Karthika 1947

നമ്പർ
No. 3817

GOVERNMENT OF KERALA

Home (S) Department

NOTIFICATION

G. O. (P) No. 95/2025/Home.

Dated, Thiruvananthapuram, *28th October, 2025* / *11th Thulam,1201* / *6th Karthika, 1947.*

The Government of Kerala is pleased to notify the guidelines to be followed under section 336 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 regarding the admissibility of documents or reports prepared by public servants, experts, or police officers in the Court where the original preparer/officer is unavailable, allowing for the testimony of their

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successor officers to maintain the continuity of evidence and prevent procedural delays, ensuring deposition of crucial evidences under stipulated time. The guidelines for the said purpose under Section 336 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is attached herewith.

By order of the Governor,

BISHWANATH SINHA,
Additional Chief Secretary to Government.

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Guidelines - Public servants, Experts, Police officers in certain cases U/s 336 BNSS, 2023 - allowing their successors to give evidence before the court.

1. Introduction

Public servant, scientific expert or medical officer are duty bound to prepare and produce document, opinion or examination result as evidence under this Sanhita adhering to due procedure. This new section is incorporated in this Sanhita for timely disposal of cases in a time bound manner.

2. Applicability

(i) If such public servant/expert/officer is either transferred, retired, or died; or

(ii) Such public servant, expert or officer cannot be found or is incapable of giving deposition; or

(iii) Securing presence of such public servant, expert or officer is likely to cause delay in holding the inquiry, trial or other proceeding, the Court shall secure presence of successor officer of such public servant, expert, or officer who is holding that post at the time of such deposition to give deposition on such document or report:

Provided that no public servant, scientific expert or medical officer shall be called to appear before the Court unless the report of such public servant, scientific expert or medical officer is disputed by any of the parties of the trial or other proceedings:

3. The best practices to be adopted for feasibility and scalability.

1. In wake of any dispute during the trial, "Audio-Video electronic means" should be used for the purposes of examining the persons referred to in this section.

2. In this regard, summons should also be served through electronic communication under sections 64 to71 duly served and a copy of such summons should be attested and kept as a proof of service of summons.

3. If the trial or inquiry is pending for a long time for want of said person, a new application should be submitted, through the prosecutor concerned, before the Court for including his Successor as witnesses.

4. If the officer is no longer available due to transfer, retirement, incapacity or death, the Investigating Officer should identify the competent Successor Officer holding the same post at the time of the proceedings.

5. The Successor should be briefed thoroughly with respect of the questioned documents or examination reports.

6. A combined effort of Investigation Officer, Successor Officer and the Prosecutor is essential for presenting the evidences before the court beyond doubt.

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